

gher in his presentation the first time, was the State of New York, and that is true, it is one of the twelve states.

I would like to read some commentary of how it was done in New York. This is the example that Chairman Gallagher chose to use. Here is what this study says. "On the other hand, the single-member constituencies into which all of New York City is divided are not very inspiring. One can wonder how many voters there are in New York City, what assembly district they live in, or who their representative is, or how he votes. There is almost no medium of communication other than the direct canvassing of the voters that is geared to a one-district area as small as a New York City assembly district. In 1961 all twelve of the assembly members from the Bronx were Democrats as were twenty-one of twenty-two from Kings, fourteen of sixteen from New York County and nine of thirteen from Queens. Some minority party representation was evidently provided either because of or in spite of the gerrymandering that had gone into the districting pattern."

Now, I would like to address myself to the two arguments that were used on the floor to support single-member districts. One is that you must have single-member districts because they provide "differing perspectives than between the delegates to the house of delegates and the senators elected to the senate." This is not a persuasive argument. It is merely a make-way argument.

If the Committee on the Legislative Branch had been sincere in attempting to create meaningful distinctions between the two houses, they could have picked many other alternatives, one of which would have been a staggered term situation so the terms did not overlap. They did not do it. They bring in this plan and try to use as its justification that you had to create a different basis of representation. I think the argument cuts the other way because the redistricting case in the Supreme Court known as *Reynolds v. Sims* stated that a reapportioning of legislature does not mean any difference in complexion and it made the following statement: "One body could be composed of single-member districts while the other could have at least some multi-member districts." This is exactly what this amendment would do. It would allow not force the redistricting commission to provide for some multi-member districts in one house. We already have a single-member Senate. We certainly do not want to tamper with this.

Another argument is that this provision violates somehow the constitutional requirement of one-man, one-vote. Once again this is just poor bunk. The Supreme Court has indicated to the contrary clearly in several cases. Sure, somebody in a triple-member district has three times as many votes but the simple point is that his vote is diluted out over three times as many people so the force of the vote is just the same. I would like to read again from the *Reynolds* case in the Supreme Court where it said "single-member districts may be the rule in one state while another state might desire to achieve some flexibility by creating multi-member or floterial districts."

This principle was specifically upheld in *Forson v. Dorsey* in the Supreme Court in which a Georgia districting scheme with seven multi-member districts and the rest single-member districts was specifically upheld.

THE PRESIDENT: Delegate Lord, you have not used your time, but I think I should advise you that you have used eight minutes of your time.

DELEGATE LORD: Mr. President, I think that I can bring this matter to a close rather quickly. The authorities in the field have certainly indicated that we have to use a flexible scheme. In fact, I would like to quote again from the source I just read from where the conclusion was reached "that this discussion can be summarized that the case for rigid insistence for single-member districting has not been proved. The authors believe any district electing more than four or five members should be divided but they see no harm in continuing indefinitely the policy of any states in which two and three-member districts are widely used."

I would like to close by quoting some of the language used in the discussion on the floor by the Chairman of the Legislative Branch Committee when dealing with virtually this same amendment. He says, "I have got to commend the proposal, however, in the sense that it does obtain the single-member approach for the Senate and it goes a long way in eliminating the evil we were after in trying to eliminate the delegate situation where seven and eight people were running and we ran into a question of low visibility. We commend this proposal."

We commend this proposal. We recommend its adoption. I will rest on that.

THE PRESIDENT: Delegate Gallagher.